

1 disagreement with me. He was a staunch Democrat and he had
2 made statements that I would never work for him. He is now
3 of course not in the picture. And I answer to Barbara James
4 Peterson, the general manager of the station, when I am
5 called on emergencies, the work that I do. And so to answer
6 your question, the ownership of Family Broadcasting, past
7 ownership or the former management and I did not see eye to
8 eye.

9 Q Again, to make, to try to make this process a
10 little bit easier I appreciate that you are trying to
11 explain as fully as you can your answer, but if you could
12 just try to focus on my question. And I hope to get to all
13 the things that you think are important. And if we do that
14 through a question and answer session I think everybody will
15 have a much better understanding of context than if you go
16 on and on and on with your answer.

17 A Give speeches. I'm sorry. I apologize.

18 Q When you mentioned being contacted by employees
19 could you name those employees?

20 A Sure. Huellester Russel who goes by the nickname
21 of Bad Company. Alvin Gee Southwell who was the news
22 director at the time. And Al Clark who was the station
23 manager or the chief operator and still is.

24 Q And these contacts took place shortly after
25 Hurricane Marilyn?

1 A No, sir. No. This is all post-Lenny, 1999.

2 Q Oh, excuse me. I'm falling into that myself,
3 getting the hurricanes mixed up. Okay, so when did
4 Hurricane Lenny come through, beginning of the year, end of
5 the year?

6 A September 17, 1999. I think I remember that date
7 because Hugo took place on September 17. November 17, 1999,
8 excuse me. I have it.

9 Q All right, so you were contacted by those three
10 WSTX employees sometime in mid to late November of 1999?

11 A No, no. This is, this was not then. In 1999
12 after Hurricane Lenny the only thing I did was restore the
13 station to operation by putting up a wire antenna and tuning
14 the transmitter -- tuning the antenna for that wire to
15 accept power based on the exigencies of the situation that
16 existed then. It was not till long after that that I was
17 finally called in to install the Autogram console.

18 Q All right. Well, let's take it back then to when
19 Hurricane Lenny came through. We are talking mid-November
20 of 1999.

21 A November 17, yes.

22 Q And it's shortly after that that you come in to,
23 you say, install an antenna?

24 A It wasn't shortly after that. It was -- I was
25 sent down from the EOC, the Virgin Islands Emergency

1 Management Agency which is where I was working as part of a
2 mitigation exercise to get them back on the air so the
3 public could be informed by FEMA and by the local government
4 agencies on relief supplies. They considered it vital to
5 put that station back on the air.

6 I was not compensated for the work. I went down
7 and did the work, got the station on the air and returned to
8 my duty station. And it was part of my government
9 assignment from the EOC where I was stationed during the
10 storm.

11 Q Now, what is the EOC?

12 A The Emergency Operations Center of the Virgin
13 Islands Emergency Management Agency, VITEMA.

14 Q And it was as a result of a directive from your
15 employer that you went to WSTX?

16 A It was not my employer, it was that during an
17 emergency we have a different command structure, that the
18 VITEMA director on through if the lieutenant governor was
19 there or the governor was there or one of the VITEMA people
20 or one of the FEMA people our agency has a certain degree of
21 response, in a response plan which you asked for on
22 admissions, that we provide transportation, logistics, food,
23 warehousing. And it just so happens, Schoenbohm, go to the
24 radio station, see if you can get them back on the air.
25 That's how simple it was.

1 Q So those were your marching orders, simply to get
2 them back on the air?

3 A That's correct.

4 Q Now, was that both the AM and the FM station or
5 just one of them?

6 A No, it was just the AM station.

7 Q Just the AM station?

8 A Yes. Their tower had fallen to the ground. And
9 what was done was we coordinated with the Virgin Islands
10 Water and Power Authority to plant some poles. Then I ran a
11 wire amateur radio style and tuned what power I could get
12 into the transmitter and got them back on the air.

13 Q Now, did you have any understanding as to what the
14 station was licensed for in terms of the antenna height and
15 the power?

16 A When I worked there it was licensed for 5,000
17 watts.

18 Q No, sir, listen. Listen to what I'm asking. I am
19 focusing on the period of time immediately after Hurricane
20 Lenny when you went to WSTX and apparently assisted them in
21 some way getting them back on the air. My question is
22 focusing at that time.

23 A At that time.

24 Q What understanding, if any, did you have as to
25 what that station was licensed to do?

1 A Not based on previous knowledge?

2 Q Sir, this is based on your now showing up at WSTX

3 --

4 A That was not, that was not something that I
5 considered to be a consideration under the circumstances,
6 you know, with no power on the island, no phones on the
7 island. The only thing I did say to the owner of the
8 station is that whatever you do you have a period of time in
9 which you can apply for waivers based on your present
10 circumstance and that's it.

11 Q So your purpose at that time was simply to get the
12 station back on the air without regard to whether the
13 facility that was then going to operate was compliant with
14 its license?

15 A It couldn't possibly comply with its license at
16 the time. It was up to the ownership and the manager of the
17 station to bring it into compliance. But what I did is just
18 return it to the air so that people in the community could
19 get the emergency messages that they needed in order to go
20 for their food and shelter and whatever. Because in an
21 island like that a radio station is the coconut telegraph
22 that everybody listens to to get instructions.

23 Q Now, are you suggesting here that WSTX was the
24 only radio station in St. Croix?

25 A No, it's not the only radio station in St. Croix.

1 Q How many other radio stations were there at the
2 time to your memory?

3 A How many were on the air or off the air?

4 Q Right. Just in terms of what you remember?

5 A I don't believe -- there was a time when they were
6 all off the air. There were no stations on the air to my
7 recollection. Others came on and went off.

8 JUDGE STEINBERG: We're talking about Hurricane
9 Lenny now?

10 THE WITNESS: Lenny. Some had emergency power,
11 some did not. Some had lost the link to the transmitter
12 which was via telephone. But WSTX has been the primary
13 station that people listen to on the AM band for during such
14 emergencies. And they established that reputation in the
15 past as being the key station. Like WSTA in St. Thomas did
16 in Hurricane Hugo.

17 BY MR. SHOOK:

18 Q Now, after the station was restored to power you
19 had indicated that there was some conversation between
20 yourself and the owner of WSTX in terms of he had some
21 responsibility --

22 A Yes.

23 Q -- to do something?

24 A Yes.

25 Q What did you tell him?

1 A I said that the tower is gone and in order to
2 operate under the circumstances without what you're licensed
3 for you need to file immediately with the engineer in charge
4 or the FCC because I believe the EIC was no longer in 1999
5 in San Juan, Puerto Rico. I think that had been resolved.
6 But I told them you have to notify the Commission of your
7 circumstances and file the necessary papers as soon as it is
8 practical for you to do that. Fax machine, letter, there
9 has to be a notification.

10 Q And that conversation took place with whom?

11 A With Mr. James when I was leaving.

12 Q Did you have any conversations along those lines
13 with anybody else at WSTX?

14 A No. Maybe one of the other employees reminding
15 them that they had that obligation. But as I said before, I
16 did not have a good relationship with Mr. James.

17 Q Well, I take it then that Mr. James was
18 appreciative that you helped get his station back on the
19 air?

20 A Yes, I think so. He has, since that time he has
21 expressed his thanks but he didn't at the time. There was
22 just too much going on. I mean when you have after
23 hurricanes you have winds that blow 80, 90 miles an hour,
24 gusts that come through, rain after days, it's just not,
25 it's hard to explain, you don't get involved in punctilio

1 during those circumstances.

2 Q Please try to understand me, I just want to get as
3 clear a picture as I can of what happened in terms of your
4 relationship with WSTX beginning with Hurricane Lenny.
5 That's what we're doing here. We're just trying to get this
6 information out. We'll worry about the effects of that
7 information later.

8 A All right.

9 Q Now, you mentioned WSTX. Did you have anything to
10 do at that time with WSTX FM?

11 A No.

12 Q Now, after your work in restoring WSTX to power
13 how much time elapsed before you had any further contacts
14 with Family Broadcasting, Inc.?

15 A I think it was approximately a year later. A year
16 later. Not contact, you mean actual work or contact?

17 Q Just contacts. We'll go into what the nature of
18 those were but let's just focus initially on contacts.

19 A There may have been incidental -- there were
20 incidental communications with employees, suggestions that I
21 gave to them trying to assist them through their dilemma
22 which was very serious.

23 Q The dilemma being getting them back on the air?

24 A Yes. Getting a tower up. I offered the services
25 of my sons to -- my sons were great, were tower climbers --

1 to show them, actually showed them a way to refile for
2 different tower heights. Get an attorney, as I mentioned
3 before, get a consulting engineer before, which they need to
4 do these things.

5 Q Now, what was your understanding as to why they
6 needed to do those things?

7 A Because when I worked there the tower was 308 feet
8 tall. It was a Blonox tower (phonetic) of World War II
9 vintage that had fallen down in Hurricane Hugo prior to them
10 purchasing the station.

11 Q In other words, before Family Broadcasting ever
12 bought the station, the tower that the station had been
13 licensed for --

14 A That was a license that I recall --

15 Q -- had been knocked down?

16 A Had been knocked down. And the next owners put up
17 a much shorter tower. And I believe they did not properly
18 license it or file for the fact that it was a much shorter
19 tower.

20 Q But that's something you came to find out about
21 much after the fact I take it?

22 A I didn't -- yes. I didn't know at the time that
23 these hadn't happened properly. All I, as I said before,
24 all I said is I recall the 308-foot tower while I worked
25 there, while I was an engineer there because I used to have

1 to change the lightbulbs on it. And it was down at 1989,
2 September 17, and had not been returned to service.

3 But if a tower was to be installed one thing I
4 know as a presently licensed, first-class, commercial,
5 general-class radio licensee is that you've got to file for
6 your tower heights. And this requirement was something that
7 I recall explaining to the management of the radio station.

8 Q Explaining --

9 A Apart from the wire antenna that I put in
10 temporarily.

11 Q Right. Explain to whom?

12 A To the employees, to Barbara James Peterson, to
13 Alvin Gee Southwell, to Huellester Russel, to anybody that
14 would listen to me.

15 Q And these explanations occurred when?

16 A After Hurricane Lenny.

17 Q So you had conversations not only with Mr. Luz
18 James but also with these other people that you just
19 mentioned?

20 A Yes. With other people, yes.

21 Q Including Mrs. James Peterson?

22 A Yes.

23 Q And the reason you had the conversation with her
24 was because of her management role?

25 A Yes. And she sought information from me as well.

1 It wasn't --

2 Q Now, apparently then there was a lapse or a period
3 of time of about a year between your work in getting WSTX
4 restored to operation and then when you were called in to, I
5 believe you mentioned installed an audio console?

6 A Correct. Not quite a year. I don't believe it
7 was quite a year. Less than a year. I just don't remember
8 the exact dates.

9 Q And who was it that called you in to do this work?

10 A Huellester Russel.

11 Q And did either Mr. Luz James or Mrs. James
12 Peterson have anything to do with this, your being called
13 in?

14 A I'm sure they approved it.

15 Q You were asked to install and audio console?

16 JUDGE STEINBERG: But you don't know? You don't
17 know whether they did or not?

18 THE WITNESS: I don't know whether they did or
19 not, but.

20 BY MR. SHOOK:

21 Q So you were asked to install an audio console for
22 which station?

23 A WSTX.

24 Q And this would have occurred in, what, late 2000?

25 A April, May of 2000

1 Q April, May of 2000, okay.

2 A I'm not sure exactly.

3 Q Were you asked to do anything else?

4 A The -- I offered a location as a site manager for
5 WSTX FM to be put on the air properly from a location with
6 its -- I noticed the fact that there was an FM transmitter
7 there at the studio. And I pointed out to them that this
8 needs to be done right and it needs to be moved. I didn't
9 know all the details except that it is not a 50,000-watt
10 transmitter, or a 50,000-watt ERP transmitter. It was a
11 very low-powered device.

12 Q What is the significance of that?

13 A I suggest -- You asked me what I did. I suggested
14 that they find a location --

15 Q No, now --

16 A -- to put it at. And because I was site manager
17 at Recovery Hill I got a lease for them which they signed to
18 make the move.

19 Q My question was, you had mentioned apparently you
20 saw that they had an FM transmitter at the site of their AM
21 station?

22 A Yes, I did.

23 Q And that was problematic for some reason? I mean
24 there was a problem with that?

25 A It couldn't have possibly been a licensed -- I

1 mean a, based on my knowledge as a broadcast engineer, if I
2 can call myself that, it did not appear to be a permanent
3 solution to their problems.

4 Q And is that because you saw a license for the FM
5 station and that?

6 A No. It's because I recall that the station was
7 licensed for 50 kilowatts ERP.

8 Q Oh, from your previous association with WSTX?

9 A No. From the FCC database which I have copies of
10 I know what's licensed in the island for what power levels
11 supposedly.

12 Q All right. And that's because of your position in
13 the emergency operations?

14 A No. Because of my belief being a broadcaster and
15 being up to date on who's got what power and where they're
16 located.

17 Q So you knew what they were supposed to have?

18 A I, when they were at Blue Mountain which is their
19 licensed location I was working at Blue Mountain. And under
20 the previous ownership I always questioned in my mind that
21 they were not, did not appear to be up to power at that
22 location. They were using a small transmitter and some
23 directional antennas. And I knew it was not a directional
24 antenna licensee.

25 Q You're referring now to Family Broadcasting,

1 Inc.'s?

2 A No. I'm referring to the previous ownership.

3 Q I see.

4 A A lot of these problems were inherited by Family.
5 And they, they bought a pig in the poke: a station without
6 a 308-foot tower which it was licensed for, a 50-kilowatt FM
7 station which was never a 50-kilowatt FM station. They
8 bought things that were not running according to
9 specification. And the reason they weren't running at the
10 time was because Hurricane Hugo had devastated a lot of this
11 stuff. And that of course deflated the price I would
12 imagine and they were interested in owning a radio station
13 which is a dream of everybody, including myself. And they
14 did their best but.

15 Q All right. So now we are in April of May of 2000
16 and you have installed an audio console. I guess that was
17 for WSTX AM?

18 A Well, they transmit the same programming on both
19 services.

20 Q Okay. So the audio console worked for both?

21 A Yes. It feeds both AM and FM transmitters.

22 JUDGE STEINBERG: Spell "console." Is it C-O-N-S-
23 O-L-E?

24 THE WITNESS: No, it's not.

25 JUDGE STEINBERG: Okay. Is it spelled -- I mean

1 because I get --

2 THE WITNESS: It's not the same as an attorney.

3 JUDGE STEINBERG: No. That's C-O-U-N-S-E-L. But
4 you're talking about, see I would pronounce it console, C-O-
5 N-S-O-L-E.

6 THE WITNESS: That's correct.

7 JUDGE STEINBERG: But you, okay, just for the
8 reporter. You understand, because I'm hearing one, I'm
9 hearing a word like a "council" like a government body but
10 I'm picturing "console."

11 THE WITNESS: Broadcast console.

12 JUDGE STEINBERG: Okay. So I just want the record
13 to reflect what we're talking about.

14 THE WITNESS: Well, let me refer to it as an audio
15 board.

16 MR. SHOOK: All right.

17 THE WITNESS: It will be easier.

18 JUDGE STEINBERG: Okay.

19 MR. SHOOK: I'll try to continue to use that term.

20 JUDGE STEINBERG: Well, as long as we all know
21 what we're talking about it doesn't matter what you call it.

22 MR. SHOOK: Right.

23 BY MR. SHOOK:

24 Q Now, after installing the audio board was there
25 anything else that you did for WSTX AM or FM at that time?

1 A As I testified before, I worked on the EAS
2 SAGE/NDEC encoder because there was a problem with it.

3 JUDGE STEINBERG: What's EAS stand for?

4 THE WITNESS: Emergency Activation System. Used
5 to be an EBS system. FCC required equipment that's
6 necessary to respond to incoming signals. And there had, to
7 the best of my knowledge there had been an inspection and
8 the people at the station were not able to get it to print
9 out a report. And I found that the problem was the power
10 supply. The unit was working but when the printer would
11 kick in it would overload the power supply and not -- and
12 default.

13 I replaced the power supply and demonstrated to
14 the people there that this is what happens and this is what
15 you have to do. You have to send a test every week and
16 every month. And I verified that the incoming stations that
17 were supposed to be tuned to were tuned to. And that's what
18 I did after the other events.

19 BY MR. SHOOK:

20 Q And that took place approximately when?

21 A I don't know the exact date. I really don't
22 recall precisely the exact date. I'd just hate to guess.
23 But it was sometime subsequent to the Hurricane Lenny
24 restoration. It was after an FCC inspection revealed that
25 there were some deficiencies.

1 Q The inspection report was given to you?

2 A No.

3 Q You were told about it?

4 A I was told about it.

5 Q By whom?

6 A Barbara James Peterson.

7 Q Now, other than installing the audio board and
8 correcting the power supply problem for the EAS printer was
9 there anything else that you did with respect to WSTX AM or
10 FM?

11 A The satellite dishes had been also damaged or
12 destroyed and they needed to pick up British Broadcasting
13 Corporation and their news service. I did work on that,
14 assisted someone else in realigning after the new dishes
15 were brought in in bringing the audio into the console, into
16 the board so they could retransmit their news services from
17 British Broadcasting Corporation.

18 Q And this would have taken place sometime in the
19 year 2000?

20 A 1999 Lenny -- either sometime after Lenny which
21 was close to the beginning of 2000 or in the year 2000. I
22 really can't tell you the precise dates.

23 Q That's fine.

24 All right, now so installed the audio board,
25 worked with the EAS power supply problem, also helped with

1 satellite dishes. Was there anything else?

2 A I told you the antenna installation.

3 Q Right. That was earlier?

4 A That was earlier, yes.

5 Q And I believe you mentioned a fence. What was
6 that all about?

7 A There was an infraction that a portion of the
8 fence was open. The base of the antenna, there was no
9 longer an antenna there, just the stump, and there was a
10 notice of violation I believe concerning the entrance into
11 the fenced-in area. And the station manager replaced the
12 fence. I said you've got to have a fence around your
13 antenna no matter what kind of antenna it is.

14 And they did hire a fence company that repaired
15 the fence. It was not work done by me.

16 Q Now, has there been any other work that you have
17 done for Family Broadcasting relative to WSTX FM?

18 A I found a site for them for their FM transmitter.
19 Got them a consulting engineer and a representative attorney
20 to file the necessary papers to move the site to Recovery
21 Hill which is the site that I manage. Got them together
22 with attorney Ponteen to negotiate the lease so they would
23 have a premise for being there and encouraged them to put
24 WSTX-FM in a viable circumstance.

25 Q As opposed to?

1 A An unviable circumstance. I mean if you, if you
2 own an FM station and it's 50,000 watts ERP that is a
3 valuable piece of property. But to run a few watts or 100
4 watts or something through a little ring antenna at the
5 studio is not utilization of your license power and your
6 grant by the Commission to do what you're supposed to do.

7 Q So you were pointing this out to them with some
8 regularity that they had to fix the situation?

9 A It behooved them to fix the problems and buy the
10 transmitter and put the antennas up and file the papers for
11 the locations, the change of locations necessary to bring
12 that particular property in compliance with their license
13 grant.

14 Q All right. I'd like to move on to a different
15 topic. You are familiar with a person by the name of Louis
16 Bean?

17 A Yes, I am.

18 Q And how is it that you have any familiarity with
19 that name?

20 A Louis Bean is an elderly gentleman who supplies a
21 service for yachts and used the amateur radio frequencies to
22 get in contact with their broker, their businesses. And I
23 have been sort of a nemesis of Mr. Bean over the year
24 suggesting that his operation did not comply with Commission
25 Regulations Part 97.

1 Q Your relationship with him goes back how far?

2 A Oh, when he was a CBer shooting skip before he
3 became a licensed amateur. I encouraged him to get a ham
4 license and stop his illegal CB operation.

5 Q Did he take your advice?

6 A Yes. Yes, of course he did. And the irony of it
7 all, when I retested April 14 he was one of my examiners.
8 So the roles reversed and he's the one that signed the fact
9 that I had passed the amateur extra class license.

10 Q Now, we gave you a letter that you had asked for
11 --

12 A Yes.

13 Q -- that Mr. Bean had signed?

14 A That's correct.

15 Q And in that letter Mr. Bean made some allegations
16 about your role in turning a station back on, did he not?

17 A He used the words "by hook or crook" Mr.
18 Schoenbohm got the station back on the air.

19 Q Now, what role if any did you have in turning that
20 station back on?

21 A Well, actually it was never off. That's the whole
22 point. The antennas were damaged by the storm. And when I
23 went up there and cleaned up the facility I just replaced
24 the broken transmission lines that were severed or cut or
25 had rain or water in them and tried to put the location back

1 in order.

2 Q So you personally didn't have anything to do with
3 the operation of that station?

4 A The only thing I had to do was when I discontinued
5 the operation based on Mr. Hollingsworth's letter of
6 complaint of Mr. Bean that he didn't want me associated with
7 his, his amateur repeater. Well, it wasn't his. It
8 belonged to RACES which is a division of VITEMA. He's the
9 one who had his call sign, his imprimatur on the repeater,
10 but he was not the founder, the co-owner, the RACES official
11 in charge of it.

12 It was an identity crisis is what he had.

13 Q Just to clarify things could you explain what
14 RACES is?

15 A Radio Amateur Communications Emergency Service.
16 It is a function of the FCC and emergency facilities in
17 cooperation with amateurs to respond during types of
18 emergencies that permits individuals other than amateurs to
19 join in a communications exercise under special control
20 circumstances and have equipment that can be owned by the
21 local government at the town, at the city hall or at a
22 shelter or the Red Cross. And has been very, very over the
23 years a major component in windstorms, hurricanes,
24 tornadoes, snowstorms in providing communications when
25 others have failed.

1 And it is a cooperation effort between local
2 government most likely, more local government but could be
3 federal too, municipal, state and county and local amateurs
4 that participate in this program.

5 Q Now, what was Mr. Bean referring to in terms of it
6 being his station? You mentioned imprimatur, you're
7 referring to his call sign?

8 A His call sign was the identifier which is going on
9 when somebody utilizes it. His call sign KB4JC was the
10 sound that you heard in Morse code identifying the unit.
11 The reason his call sign was on the repeater is because he
12 insisted as president of the Radio Club that I want my call
13 sign.

14 I had had my call sign on the repeater for ten
15 years prior to that. And in 1992 you know what happened
16 then, I fell into disfavor because of my criminal conviction
17 and my call sign was removed and his call sign was put on
18 the 1463191 repeater. Maybe had a little bit of -- I'm not
19 going to characterize his view but, you know, this
20 competitive sort of thing. And fine. And then that's the
21 way it was.

22 The operation of the equipment were by two RACES
23 members, two very good friends of mine, one now deceased,
24 who maintained control of the function of the equipment. I
25 never had control of the equipment. Never had the ability

1 to turn it off and on except based on the letter by Mr.
2 Hollingsworth unplugging it from the wall when he insisted
3 that it be terminated.

4 Q Well, I thank you. This is one time when you went
5 ahead enough to save me the trouble of asking some
6 questions.

7 A All right.

8 Q Now, I'd like to move on to the final area that I
9 believe we're going to explore with you today and that is a
10 contest that occurred in October of 2001. Now, did there
11 come a time when you had contact with a person by the name
12 of Steve Reichlyn?

13 A Yes.

14 Q And could you tell us how that contact came about?

15 A Mr. Reichlyn came to my home and spent some time
16 there operating in an international competition in October
17 of 2001, I believe the dates 25, 26, 27, whatever. It's the
18 last part of the month, the last weekend of the month where
19 he utilized my home in the Virgin Islands because of its
20 exclusivity in this particular competition to participate.

21 Q All right, why don't we explore the background of
22 this a little bit. Your first contact with Mr. Reichlyn
23 though occurred sometime before the weekend of the contest,
24 did it not?

25 A By e-mail, yes.

1 Q And what exactly was going on here?

2 A I offered to provide him my space for he and his
3 friend, Mr. Gasque, to come and spend the weekend in a
4 little bed and breakfast. My wife would cook and he would
5 pay me a small amount of money to use my place rather than
6 trying to set up at a hotel because I had, still have a
7 tower and had some wires. And I would fix up the place for
8 him so he could operate the contest, stepping off the plane
9 making it as easy as possible for him to participate.

10 Q These e-mail contacts occurred approximately how
11 many months before Mr. Reichlyn actually appeared at your
12 door?

13 A I can't tell you exactly, maybe four, five months.

14 Q Was this subsequent to your having lost your
15 license?

16 A Yes. Well, no, it wasn't. As a matter of fact it
17 may have begun when I still had authority to operate. I
18 believe, I believe our initial contacts I still had because
19 of the 90-day period after the cert. denied, that didn't
20 occur -- there were people at my house operating the day
21 that I lost the authority to operate. In a previous
22 contest. They were not Mr. Reichlyn but they were other
23 people that had come down from Michigan.

24 Q So the contest that Mr. Reichlyn participated in
25 was not the first such contest that you had some involvement

1 with?

2 A None. No, it was not.

3 Q How many --

4 A I didn't have any involvement in the contest other
5 than setting the facility up. I did not, if I can jump
6 ahead, I did not operate during this particular contest. I
7 did prior to it.

8 Q Well, okay, just this particular contest meaning
9 the one that occurred about the time your license was lost?

10 A Correct.

11 Q The people from Michigan?

12 A That's correct.

13 Q And how many other such contests had you been
14 involved with before?

15 A Over the years maybe ten.

16 Q Okay. Could you tell us what is it about these
17 contests, what is this contest supposed to do?

18 A To establish, it's like the I mentioned the Iron
19 Man Triathlon, somebody sitting at their radio and working
20 as many stations as they can in as many different zones and
21 depending upon or states or counties or what have you, and
22 depending upon the number of multipliers, the number of
23 contacts you're the winner if you're in a good location and
24 if conditions are favorable and you have more contacts than
25 the other guy.

1 JUDGE STEINBERG: Okay, let me. So somebody sits
2 there when you say working as many stations as they can what
3 do you mean by "working"? You mean contacting other
4 stations?

5 THE WITNESS: Working -- yeah. They just say,
6 they give their call sign and they receive the call sign
7 back. They give a report and then log it in.

8 JUDGE STEINBERG: What's the report?

9 THE WITNESS: 5948. That's it.

10 JUDGE STEINBERG: So you say whatever your station
11 is?

12 THE WITNESS: Uh-huh. Give you identification,
13 which you're required to do.

14 JUDGE STEINBERG: And they give their
15 identification?

16 THE WITNESS: Correct.

17 JUDGE STEINBERG: You say 5908?

18 THE WITNESS: Correct.

19 JUDGE STEINBERG: And then you write it down?

20 THE WITNESS: You write it down or put it in the
21 computer now.

22 JUDGE STEINBERG: Okay. And then whoever gets the
23 most of these wins?

24 THE WITNESS: Wins. A nice plaque, a trophy and.

25 JUDGE STEINBERG: And it's the honor system? How

1 does anybody know?

2 THE WITNESS: Well, how does anybody know, because
3 everybody sends their logs in to a central headquarters.

4 JUDGE STEINBERG: Okay.

5 THE WITNESS: And the computer cross checks them
6 now in a program. And if they are not valid or these people
7 didn't exist you're disqualified.

8 JUDGE STEINBERG: Okay.

9 BY MR. SHOOK:

10 Q So that's a way of catching cheaters?

11 A Well, there are other ways too. The FCC has
12 caught some people running 10,000 watts in the ham band
13 during these contests in order to win. They have had raids
14 and especially in California of some incredible setups.
15 Some by some very famous people by the way.

16 Q Well, let's focus our attention on the October
17 2001 contest.

18 MR. SHOOK: Your Honor, I would like to approach
19 the witness and give him a copy of our exhibits.

20 JUDGE STEINBERG: Does anybody need to take a
21 break? Okay, so we will continue with this and then when
22 Mr. Shook is finished we will take a break.

23 MR. SHOOK: I finally managed to pull them apart
24 so we'll now put them back together again. I think it's the
25 extreme cold in here that caused this.

1 MS. LEAVITT: Want to make sure everybody stays
2 awake.

3 JUDGE STEINBERG: What?

4 MS. LEAVITT: The temperature is certainly
5 conducive to staying awake, isn't it?

6 JUDGE STEINBERG: That's, right.

7 BY MR. SHOOK:

8 Q Mr. Schoenbohm, I'd like to direct your attention
9 to what is marked for identification --

10 JUDGE STEINBERG: Hasn't been marked yet.

11 MR. SHOOK: Or I guess at this point why don't we
12 do that.

13 JUDGE STEINBERG: Yes. Nothing has been marked.

14 MR. SHOOK: Your Honor, I would like to mark for
15 identification three Bureau exhibits. The first, Exhibit 1,
16 is a 2-page letter dated November 13, 2001 to Mr. Steven S.
17 Reichlyn, R-E-I-C-H-L-Y-N, from W. Reilly Hollingsworth,
18 Special Counsel, Enforcement Bureau.

19 JUDGE STEINBERG: Okay, the document described
20 will be marked for identification as Enforcement Bureau
21 Exhibit 1.

22 (The document referred to was
23 marked for identification as
24 Enforcement Bureau Exhibit 1.)

25 MR. SHOOK: I'd like marked for identification as

1 Enforcement Bureau Exhibit 2 a five-page letter from Steven
2 Reichlyn AA4D to W. Reilly Hollingsworth, dated November 18,
3 2001.

4 JUDGE STEINBERG: The document described will be
5 marked as Enforcement Bureau Exhibit 2.

6 (The document referred to was
7 marked for identification as
8 Enforcement Bureau Exhibit 2.)

9 And I would like marked for identification as
10 Enforcement Bureau Exhibit 3 an eight-page document that
11 notes at the top of it in handwriting "--contacts outside of
12 contest period." And then underneath it is has written
13 "AA4D/AP2 D Expedition" it looks like. And there are eight
14 pages of this.

15 And I believe further identification of it will
16 take place during the course of my questioning of Mr.
17 Schoenbohm. And then we can all know what this is about.

18 JUDGE STEINBERG: Okay. The document described
19 will be marked for identification as Enforcement Bureau
20 Exhibit 3.

21 (The document referred to was
22 marked for identification as
23 Enforcement Bureau Exhibit 3.)

24 BY MR. SHOOK:

25 Q Now, Mr. Schoenbohm, to set the stage for this

1 contest, I believe you had indicated that there some months
2 before the contest itself took place you and Mr. Reichlyn
3 contacted each other or had contact with each other via
4 e-mail, correct?

5 A Yes.

6 Q And how did this come about, did you initiate this
7 contact with Mr. Reichlyn?

8 A I put information out that my home was available
9 for licensed amateurs to come and enjoy the contest
10 operation should they so choose.

11 Q Was that e-mail or now how did you do that, did
12 you do that by an advertisement?

13 A On the Internet.

14 Q On the Internet.

15 And was it in relation to any specific contest
16 that was going to take place or was this just of a general
17 nature?

18 A Well, the kind of contest for the Virgin Islands
19 would be a benefit to operate from such as the D-Expedition
20 or DX contest, sweepstakes, the ARRL contest. Those are the
21 ones that the Virgin Islands has an advantage of being in
22 because we are not counted as the United States but as a
23 foreign entity.

24 Q For purposes of the contest?

25 A That's correct. Everybody who works the Virgin